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9
 10 E-filed March 10, 2009

11 -and-

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 26 *Counsel for the Official Committee
 27 Of Unsecured Creditors*

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1 possession, hereby file this Omnibus Objection (the "Objection") to the Initial Claim Transfer and
 2 the Additional Claim Transfers (as defined herein). In support of this Objection, the
 3 Reorganized Debtor and the Committee respectfully represent as follows:

4 **BACKGROUND**

5 1. On October 15, 2007 (the "Petition Date"), the above-captioned debtors-in-
 6 possession filed their respective voluntary petitions for relief under chapter 11 of Title 11 of the
 7 United States Code, 11 U.S.C. §§ 101 *et seq.* (as amended, the "Bankruptcy Code"), in the
 8 United States Bankruptcy Court for the District of Nevada, Reno Division.

9 2. On December 8, 2008, an Order ("Confirmation Order") confirming the Joint-
 10 Consolidated Hidden Splendor Resources, Inc./Mid-State Services, Inc. Plan of Reorganization
 11 ("Plan") was entered.

12 3. Pursuant to Article VI(A)(4) of the Plan, the various registers for each class of Claims
 13 and Equity Interests (as those terms are defined in the Plan), as maintained by the Bankruptcy
 14 Court were deemed to be closed as of the date the Confirmation Order was entered (December
 15 8, 2008) and the Reorganized Debtor (as that term is defined in the Plan) has no obligation to
 16 recognize any transfer of Claims or Equity Interests occurring on or after that date.

17 4. On February 18, 2009, Debt Acquisition Company of America V, LLC ("Debt
 18 Acquisition") filed an Assignment/Transfer of Claim of Reis Environmental (Doc. No. 619) (the
 19 "Initial Claim Transfer"). On February 19, 2009, the Bankruptcy Court issued a Notice of
 20 Assignment of Claim and Pending Order Thereon (Doc. No. 620) (the "Initial Transfer Notice").
 21 The Initial Transfer Notice states that if an objection is not filed to the Initial Claim Transfer on or
 22 before March 11, 2009, an order will be entered deeming the Initial Claim Transfer effective.

23 5. Subsequent to the filing of the Initial Claim Transfer and the Initial Transfer Notice,
 24 on February 25, 2009 Debt Acquisition filed six (6) additional Assignment/Transfer of Claims for
 25 Carbon Medical Service Association (Doc. No. 622), Castleview Hospital (Doc. No. 623), ECDC
 26 Environmental, L.C. (Doc. No. 624), H.J. Kirby Corp. (Doc. No. 625), Jay-Max Sales (Doc. No.
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1 626) and Minewest Sales & Service (Doc. No. 627) (collectively, the "Additional Claim
 2 Transfers"). On February 26, 2009, the Bankruptcy Court issued six (6) additional Notices of
 3 Assignment of Claim and Pending Order, corresponding to the Additional Claim Transfers (Doc.
 4 Nos. 628, 629, 630, 631, 632 and 633) (collectively, the "Additional Transfer Notices"). The
 5 Additional Transfer Notices state that if an objection is not filed to the Additional Claim Transfers
 6 on or before March 18, 2009, an order will be entered deeming the Additional Claim Transfers
 7 effective.

8 **OBJECTION**

9 6. Pursuant to Article VI(A)(4) of the Plan, the Reorganized Debtor and the Committee
 10 believe that the Initial Claim Transfer and the Additional Claim Transfers are ineffective.
 11 However, to avoid confusion and incurring costs associated with administering these claims, the
 12 Reorganized Debtor and the Committee file this Objection to the Initial Claim Transfer and the
 13 Additional Claim Transfers.

14 7. The Plan expressly states that no transfers of any Claims or Equity Interests (as
 15 those terms are defined in the Plan) subsequent to the entry of the Confirmation Order are valid
 16 and need not be recognized by the Reorganized Debtor. The Initial Claim Transfer and the
 17 Additional Claim Transfers were not filed until nearly two (2) months after the date the
 18 Confirmation order was entered. Accordingly, the Initial Claim Transfer and the Additional Claim
 19 Transfers should not be given effect or recognized on the claims registers.
 20

21 WHEREFORE, the Reorganized Debtor and the Official Committee of Unsecured Creditors
 22 respectfully requests that this Honorable Court deem the Initial Claim Transfer and the
 23 Additional Claim Transfers void *ab initio*, pursuant to Article VI(A)(4) of the Plan.

24

25 [Signature Page to Follow]

26

27

28

1 Dated: March 10, 2009

Respectfully Submitted by:

2 /s/ Michael J. Roeschenthaler

3 Michael J. Roeschenthaler, Esq.

4 Pa. I.D. No. 87647

5 Nicholas E. Meriwether, Esq.

6 Pa. I.D. No. 200433

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29 john@whitelawchartered.com

30 Attorney for Reorganized Debtor

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1 CERTIFICATE OF SERVICE
2

3 1. On March 10, 2009, I served the following document:

4 OMNIBUS OBJECTION OF THE REORGANIZED DEBTOR AND THE OFFICIAL
5 COMMITTEE OF UNSECURED CREDITORS TO THE ASSIGNMENT/TRANSFER
6 OF VARIOUS CLAIMS ON OR AFTER FEBRUARY 18, 2009

7 2. I served the above-named document by United States mail, postage prepaid to the
8 following persons listed below:

9 Reis Environmental
10 Attention: Marcia Comstock
11 Credit Manager
12 1995 South 4490 West
13 Salt Lake City, UT 84120

14 Reis Environmental
15 Attention: Marcia Comstock
16 P.O. Box 8498
17 St. Louis, MO 63132

18 Debt Acquisition Company of America V, LLC
19 Attention: Tom Scheidt
20 1565 Hotel Circle South
21 Suite 310, San Diego, CA 92108

22 Carbon Medical Service Association
23 Attention: Yvonne Jensen
24 Executive Director
25 P.O. Box 930
26 East Carbon UT 84520

27 Castleview Hospital
28 Attention: Renai Campbell
Business Office Director
300 North Hospital Drive
Price UT 84501-4200

ECDC Environmental, L.C.
Attention: Kirk Treece
General Manager
Box 70053, Los Angeles
CA 90074-0053

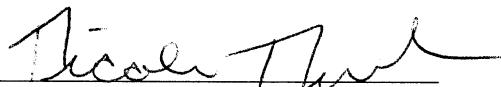
1
2 H.J. Kirby Corp.
3 Attention: Bernard Gusick
Operations Manager
4 29325 Clemens Road
Westlake, OH 44145-1093
5

6 Jay-Max Sales
7 Attention: Maxine Fletcher
Sec./Treasurer
P.O. Box Q Palisade CO 81526
8

9 Minewest Sales & Service
Attention: The Owner
P.O. Box 218 Wellington, UT 84542
10

11 I declare under penalty of perjury that the foregoing is true and correct.
12

Signed on: March 10, 2009.

13 
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15 Declarant, Nicole Newlan
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